

POLICE RACE ACTION PLAN: INDEPENDENT SCRUTINY AND OVERSIGHT BOARD ANNUAL REPORT

EXECUTIVE SUMMARY

August 2023



OVERVIEW

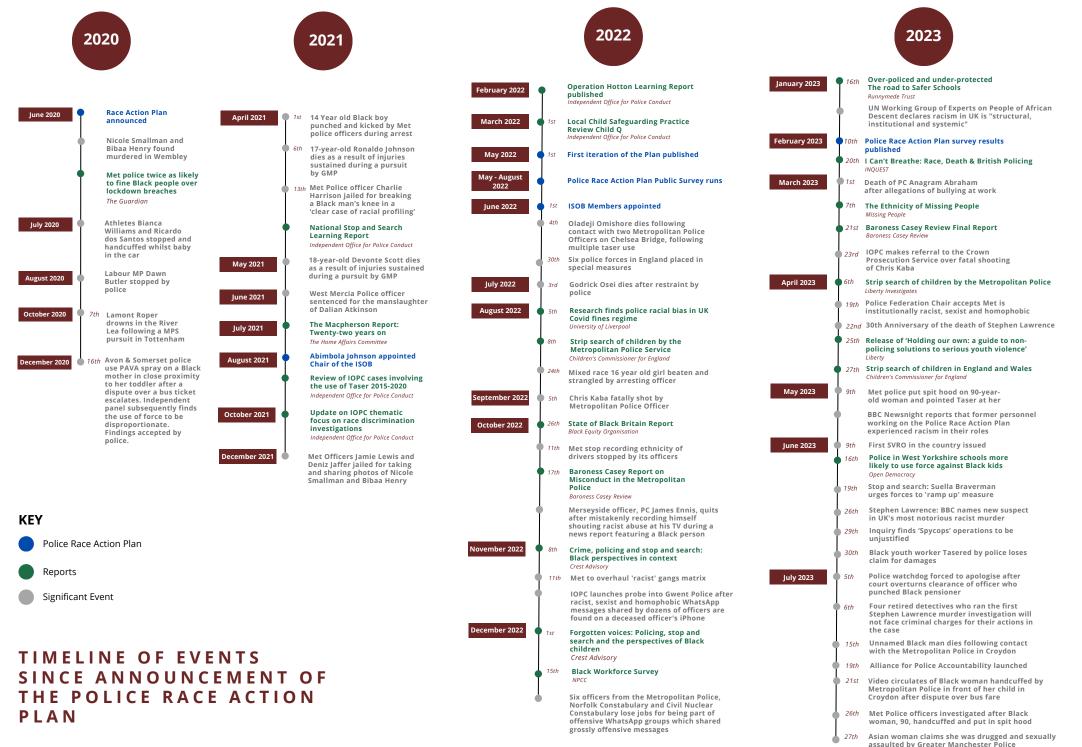
In June 2020, following the murder of George Floyd by US police officer Derek Chauvin, the National Police Chiefs' Council ("NPCC") and the College of Policing ("the College") announced the Police Race Action Plan.¹ With the objective of improving policing for Black people, the Plan seeks to build an antiracist police service.

It includes four main workstreams: Internal Culture & Inclusivity; Use of Powers; Community Engagement; and Not Under-Protected Against Victimisation. There are also two enabling workstreams: Data and Evidence; and Communication.

The task of the Plan cannot be underestimated. Since publication of the Plan, many high-profile policing incidents, investigations, and reports including the landmark Casey Review, highlight how three years on, policing is still not fair for Black communities. In May 2022, the Independent Scrutiny & Oversight Board (ISOB) was appointed to provide overview and external scrutiny of the Race Action Plan. In our first year, we have found good intentions and pockets of promising activity that will aid in creating a fairer policing system. This, however, is not enough. The Police Race Action Plan needs to tackle the drivers of unfairness in policing which means embedding changes into the fabric of policing itself.

In this, our first annual report, we provide recommendations for how policing can create a truly anti-racist service.

EXECUTIVE SUMMARY



THEMATIC RECOMENDATIONS

Restructure the Race Action Programme to better reflect an anti-racism programme

The structure of the Race Action Programme is cumbersome. It is hierarchical and closely follows structures that exist within policing itself. This matters because at its core, the Plan is an anti-racism programme, not an operational policing programme. Report after report has highlighted that the structure of policing itself manifests racism and other forms of discrimination.

It is also crucial to ensure that those who are responsible for the Plan are genuinely dedicated to anti-racism work and are adequately supported and resourced in that work.

We have concerns about the level of burden carried by the workstream coordinators, and the frequent changes in personnel, particularly by those who sit at the delivery level and are the most likely to have direct relationships with stakeholders and local forces. The Plan acknowledges that retention and promotion practices in policing manifest racism, meaning that talented officers and staff of colour are often overlooked, and undervalued by the institution of policing. Therefore, it is important that the Race Action Programme itself is not subject to the same unfairness.

The Programme must flatten its structure to both reduce the number of levels between those in leadership and those tasked with execution, and to better reward talent, dedication, and delivery.

Introduce tangible and measurable performance metrics

Actionable and meaningful metrics are missing from the Police Race Action Plan published in May 2022. The provision of clear metrics was a commitment given to ISOB by the NPCC and the College when the Board was being recruited. They assist with providing a baseline from which to measure success and clearer more pragmatic guidance for local forces and community members to consider local activity. We would also recommend that any updated versions of the Plan specifically highlight what reports or inspections it anticipates will cross over with HMICFRS and IOPC work. These organisations set their priorities and areas of focus years in advance. The Plan should be ready to liaise with them when those strategies are next reviewed.

This will act as a visible reminder to forces that statutory bodies are engaged with inspection against its aims and will further incentivise them to show commitment to implementation. It will also assist members of the public and officers and staff to push for local adoption.

Since providing our feedback regarding actionable metrics, an updated version of the May 2022 Plan outlining further metrics and deadlines has been circulated to each of the 44 police forces. We have fed back to the NPCC that this should be published and that the next iteration of the Plan should centre on those principles.



The designation of some actions as priorities and the lack of activity in some key areas is a concern. For example, there is no focus on stop and search in the Plan despite this police power being a major driver of mistrust of the police by Black communities due to its racially biased use. These observations are further developed in the workstream specific sections of this report. Intersectional approaches – as examples, taking into account the unique experiences of Black women and girls, Black people with mental health vulnerabilities, and those who speak English as a second language are also not as clearly outlined. The Plan must better acknowledge intersectionality to demonstrate a developed understanding of the nuances in the experiences of Black heritage groups in England and Wales.

Increase engagement with external stakeholders

A lack of stakeholder engagement has repeatedly arisen during ISOB discussions with the Race Action Programme.

A national survey seeking public, policing, and stakeholder views on the Police Race Action Plan ran between May and August 2022. However, the survey closed with limited qualitative discussion having been undertaken to supplement written survey responses. This was a key area of feedback the ISOB had provided.

We were conscious that the majority of people who come into contact with the criminal justice system are under 25, and further that not everyone passionate about the implications of racism in policing would feel able to express their views in writing or within the confines of the survey. The period since the survey closed presented an opportunity for the Plan team to build external stakeholders into the mechanisms of the programme. However, we have not seen evidence of this happening with any consistency, or in some cases, at all. This is in part due to resourcing but has been driven by a lack of consistent prioritisation of engagement by the programme's leadership.

The need for meaningful engagement has been raised time and again by Black communities, and anti-racism and civil society organisations. It has been cited as a reason why they are reluctant to open themselves up to involvement with the police. They do not feel listened to, they raise concerns of being "mined" for information, of their names being listed in publications to state they have been consulted with without demonstrable evidence that the police have truly considered any of their responses.

5 Develop and deliver a clear communications strategy

Much of the work completed in the programme has been insular with limited communication with the public. Key milestones, deadlines, and updates are rarely shared with the public and there are few visible faces associated publicly with the Plan. When ISOB has raised concerns about communications, frequently the response has been that communication should be left to local forces. Although local forces do have responsibility for implementation, the Plan is still a national programme.

Some communication will of course need to be tailored to local areas such as advertising meetings, local initiatives, and pilots. However, there are clear areas of national ownership for sharing information with different audiences including continued information about the existence of the plan, its commitments, performance metrics, national standards, outcomes of meetings with external stakeholders, and accessible resources for police officers. Access to the Plan information should not be subject to a postcode lottery.

A consequence of poor communication has been that positive pieces of work delivered by the Programme are not within public knowledge. This has a knock-on effect on motivation within the Plan team.

In our feedback to the Plan survey, the ISOB recommended the creation of a Race Action Plan website, regular public updates, and a commitment to the creation of an annual summit on race developed alongside police forces, led by communities and specialist antiracism organisations. This feedback has been well received with promises made by the Race Action Programme that it will be implemented throughout 2023.



The ISOB has limited access to information about local delivery. The Plan uses "Task & Finish Groups" and "ice-breaker" forces to engage with local forces. However, these meetings are limited and are not consistently used across the workstreams. Where they are, there are concerns that the meetings do not provide a platform for open and transparent sharing about challenges and where things are going wrong. If a force does not belong to one of the above meetings, we have little to no understanding of their Plan implementation unless we can find the capacity to organise meetings with them.

Information is not always shared with the ISOB as openly as we would expect. We have never been told who the more problematic/cynical/slow-adopting forces have been. This is information we have to gather through subtext and forming our own observations. To their credit, when we have been able to engage with local forces directly, we do find more willingness to share lessons, areas with which they struggle and require more support.

This highlights the need to provide safe spaces for reflection and discussion, a factor that again goes to the need for resource in the programme. As a board of professionals, every member has been vetted, and we have agreed to abide by the Nolan principles. Increased candour would assist us in effectively performing our roles.



Resourcing of the Plan has been an ongoing concern and risks undermining the whole of the Race Action Programme.

Much of the day-to-day work of Plan implementation falls onto workstream coordinators. To date, they have no individual administrative support despite having wide-ranging responsibilities for the delivery of the Plan.

Another difficulty is the frequency of personnel changes in the Programme and its sensitivity to individual dedication.

Officers and staff involved in the Programme are seconded from their home forces. This has meant that diligent and high-impact PRAP personnel can be called back to their local force without secondment contracts being renewed. This leaves vulnerabilities and gaps in the Programme and creates a lack of security and stability for personnel. When an individual moves on, therefore, it can also mean that work simply draws to a halt. The Race Action Programme must put in place clearer long-term structures to support the organisational memory of the Programme to become more robust. This ought to include proper functioning human resources and project management systems within the programme.

A commitment has been made by the new NPCC Chair, Chief Constable Gavin Stephens, to reconsider the structure and resourcing within the Programme.



8 INDEPENDENT SCRUTINY & OVERSIGHT BOARD

REITERATION OF THE POLICE RACE ACTION PLAN

The NPCC and the College will publish a reiteration of the Race Action Plan in the coming months. The next iteration of the Plan must demonstrate how the Race Action Programme has learned, acknowledged, and implemented feedback received from stakeholders and the public.

The following is the ISOB's high-level observations on each workstream and recommendations for the Race Action Plan ahead of iteration.



WORKSTREAM 1: INTERNAL CULTURE AND INCLUSIVITY

To date, much of the ISOB's scrutiny of the Internal Culture and Inclusivity workstream has focused on activity arising out of the Police Uplift Programme as it is an area of high activity. As we spend more time scrutinising other areas of the workstream, we will reach a view about whether time and resources are being focused on the right priorities.

There had been some positive achievements with the Police Uplift Programme, especially the marked improvement in addressing bias in recruitment campaigns, but there is still more to do. Recruitment of officers from Black backgrounds is still far below equivalent population figures.² While the Race Action Plan highlights disparities in recruitment processes, and the goal to reduce those disparities, there is no routinely published data which tracks progress towards this goal.

We understand anecdotally that the Police Uplift Programme may have led to higher rejection rates for Black and minority ethnic applicants, compared to white applicants.

Unfortunately, we are unable to make a formal assessment of this as data from the recruitment process is limited. Forces track end-to-end recruitment for staff and officers through applicant tracking systems (ATS). Policing on the whole uses several systems and national data is not collected or made available as policing is unable to integrate the information.

Areas of concern

Racial disparities inthe Police UpliftProgramme

Lack of clarity on desired outcomes

Lack of visibility withkey Black stakeholder groups

Lack of scrutiny in local implementation

Lack of strategy around reaching the right officers to generate meaningful change



WORKSTREAM 2: USE OF POWERS

The majority of the activity we have seen in the Use of Powers workstream has focused on scoping and research around disproportionality in use of Taser and development of technology to record ethnicity data in road traffic stops by the police, an area not previously monitored or measured by policing.

This workstream's priority areas however miss key opportunities for actionable and tangible change:

- The Race Action Plan has deprioritised stop and search to relative inactivity within its programme of work.
- There is a lack of intersectional focus in addressing how different powers affect specific groups within Black communities.
- Technologies such as facial recognition, body camera and biometric capturing equipment are powers Black communities and civil society groups have expressed concerns about but have not been given specific focus in the Plan's actions over this year;
- Some significant areas of police power have not been included at all in the work of the Plan over this year, for example the use of arrest and experiences in custody.
- There has been a lack of engagement with key organisations and individuals with specialist knowledge in these areas.
- There has been a lack of engagement with young people by this workstream.

In the next iteration of the Plan, we expect to see clear measurable steps to achieving agreement on how race disproportionality will be measured and an outline of the consequences of what should happen when racial disproportionality is identified.

WORKSTREAM 3: COMMUNITY ENGAGEMENT

The Race Action Plan survey run last summer elicited a relatively low response rate (10%) from people from Black backgrounds. Since then, several aspects of the Community Engagement workstream have yet to be progressed. Many of these are the public-facing actions and sub-actions designed to keep different stakeholders engaged in, informed about, and updated on the Plan. This includes commitments to publish information, engage with external stakeholders, assess the role of policing in schools and community support activities, and engage with seldom-heard voices from Black communities. This trend confirms our overarching concern about this workstream which is that it is inwardlooking and does not work toward systemic change.

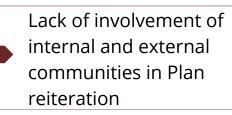
Although there has been some positive work achieved by this workstream's team, these have come quite late in the year and concentrate on scoping reflecting initial foundational work that ought to have been prioritised and enacted earlier in the Programme. The launch of the next iteration of the Plan and any significant developments needs to be supported by a strong communications strategy and complemented with community events. Some of this work has begun, it is clear that the team needs better structural support to fulfil its ambitions.

Areas of concern



Outdated/ineffective methods of engagement

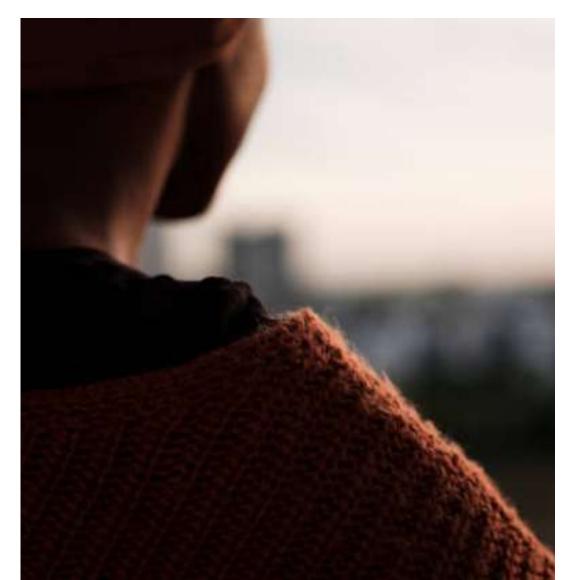




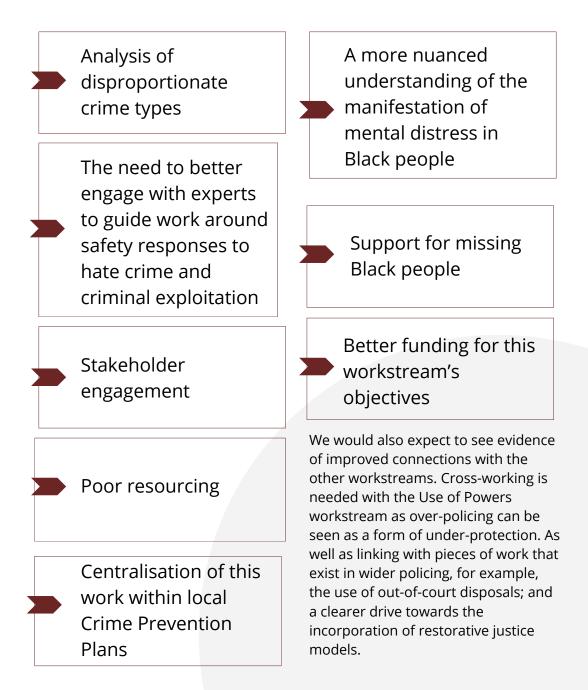


WORKSTREAM 4: NOT UNDER-PROTECTED AGAINST VICTIMISATION

It is important that the reiterated Plan demonstrates a developed understanding of Protection and the many complexities that underpin it. Interrogating the role the police plays in failing vulnerable people and leaving them susceptible to becoming suspects in future, will be key to this.



Areas of concern



Glossary

Accountability Forum

Established in 2022 by the ISOB, the Accountability Forum³ consists of individuals, organisations, leaders in local communities. The Forum holds the ISOB to account and to highlight work in forum members' areas of work. Themed online sessions for each workstream ran in Autumn 2022.⁴

The Baroness Casey Review

The Casey Review was an independent investigation into the standards of behaviour and internal culture of the Metropolitan Police Service, led by Baroness Louise Casey. It was commissioned following widespread public concern after Sarah Everard was killed by a service officer in March 2021. The review began in February 2022 and completed in March 2023, and found institutional racism, sexism, and homophobia in the **Metropolitan Police**

College of Policing

The College of Policing (CoP or "the College") is a professional body for everyone working across policing. It is an operationally independent non-departmental public body.

Direct discrimination

"The Equality Act 2010 states that direct discrimination occurs where the reason for a person being treated less favourably than another is a protected characteristic. This definition is broad enough to cover cases where the less favourable treatment is because of the victim's association with someone who has that characteristic (for example, is disabled), or because the victim is wrongly thought to have it (for example, a particular religious belief).

Disproportionate

When something is too large or too small when compared with something else.

Diversity

In the workplace, diversity focuses on the composition of a staff — demographics such as gender, race/ethnicity, age etc.

Equality

Each individual or group of people is given the same resources or opportunities.

Equity

Recognises that each person has different circumstances and allocates the exact resources and opportunities needed to reach an equal outcome.

Inclusion

A measure of culture that enables diversity to thrive.

Indirect discrimination

When a policy that is applicable to everybody, disadvantages a group of people who share a protected characteristic.

HMICFRS

His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) oversees, inspects and reports upon the efficiency and effectiveness of all Home Office police forces, as well as other forces and agencies by invitation.

IAGs

Independent Advisory Groups (IAGs) are made up of members of the public who meet to advise and offer ideas to police forces on a wide range of activities relating to local policing. The main role of an IAG is to act as a 'critical friend' to the police.

Institutional racism

The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people.

Intersectionality

A framework for conceptualising a person, group of people, or social problem as affected by several discriminations and disadvantages. It considers people's overlapping identities and experiences in order to understand the complexity of prejudices they face.

IOPC

The Independent Office for Police Conduct (IOPC) oversees the police complaints system in England and Wales. It investigates the most serious matters, including deaths following police contact, and sets the standards by which the police should handle complaints. It is independent, and makes its decisions entirely independently of the police and government.

The National Black Police Association

The National Black Police Association (NBPA) seeks to improve the working environment of Black staff by protecting the rights of those employed within the Police Service and to enhance racial harmony and the guality of service to the Black community of the United Kingdom.

<u>Accountability Forum Launch</u>, Independent Scrutiny & Oversight Board, July 2022 <u>Accountability Forum Workstream Discussion Sessions</u>, Independent Scrutiny & Oversight Board, September - November 2022

Nolan Principles

The Seven Principles of Public Life (also known as the Nolan Principles) apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the Civil Service, local government, the police, courts and probation services, non-departmental public bodies (NDPBs), and in the health, education, social and care services. All public office-holders are both servants of the public and stewards of public resources. The principles also apply to all those in other sectors delivering public services.

The principles are:

- **Selflessness:** Holders of public office should act solely in terms of the public interest.
- **Integrity:** Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
- **Objectivity:** Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
- **Accountability:** Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
- **Openness:** Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for doing so.
- Honesty: Holders of public office should be truthful.
- **Leadership:** Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

NPCC

National Police Chiefs' Council (NPCC) brings UK police leaders together to set direction in policing and drive progress for the public.

Operation Hotton

Operation Hotton was a series of nine linked independent investigations concerning serving police officers from the Metropolitan Police Service, (MPS). Most officers held the rank of police constable and were predominantly based at Charing Cross Police Station. The two year investigation found evidence of racism, misogyny, harassment and bullying.

Police and Crime Commissioners

Police and Crime Commissioners (PCCs) are directly elected politicians who are responsible for securing an "efficient and effective" police force for their area. A PCC represents every police force area in England and Wales with the exceptions of London, Greater Manchester and West Yorkshire where the powers of the PCC are held by an elected mayor. PCCs have several key functions, including appointing a chief constable, holding them to account, and if necessary, dismissing them.

Police Federation of England and Wales

The Police Federation of England and Wales is the staff association for police constables, sergeants and inspectors (including chief inspectors). It is one of the largest staff associations in the UK representing more than 130,000 rank and file officers.

Programme Board/Race Action Programme

The Programme Board is entrusted with the delivery of the national Race Action Plan.

Protected Characteristics

The following are protected characteristics under section 4 of the Equality Act 2010: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

Racism

The official report of the Stephen Lawrence Inquiry states that 'Racism in general terms consists of conduct or words or practices which disadvantage or advantage people because of their colour, culture, or ethnic origin. In its more subtle form it is as damaging as in its overt form.'

Stephen Lawrence Inquiry

On 22 April 1993, Black British teenager, Stephen Lawrence, was murdered in an unprovoked racist attack. An inquiry into his death and the Metropolitan Police's response was led by the late Sir William Macpherson. The Inquiry, and subsequent report published in February 1999, found institutional racism in the Metropolitan Police, as well as major failings in its investigation and in the way Stephen Lawrence's family and his friend Duwayne Brooks were treated.

ABOUT THE INDEPENDENT SCRUTINY AND OVERSIGHT BOARD (ISOB)

The Independent Scrutiny and Oversight Board (ISOB) exists to provide overview and external scrutiny of the Police's Plan of Action.

The focus of the Plan is on the experiences and concerns of Black people due to the starkness of the racial disparities present in policing's interactions with Black communities.



Abimbola Johnson is an award-winning human rights barrister who practises from Doughty Street Chambers. She was called to the Bar by the Inner Temple in 2011.

Abimbola is also a legal commentator and writer. She has been featured in The Guardian, Elle magazine, Bloomberg, Thomson Reuters, Channel 4 News, The Metro, and Sky News. Her writing appears on the reading list for the LSE's LLB(Hons) course.

ABIMBOLA JOHNSON Chair & WS2

Abimbola sits on a number of boards and advisory panels: She is a legal trustee for The Advocacy Academy; an editorial board member for the Criminal Law Review; a management committee member of the Black Barristers' Network, and a member of the advisory board for The Howard League's project "Making Sure Black Lives Matter in the Courtroom".

Abimbola graduated from the St Peter's College, University of Oxford with a degree in Law (Jurisprudence) in 2009. Abimbola chairs the ISOB and has specific scrutiny over workstream 2, use of powers.



COLIN DOUGLAS WS1; WS3

Strategic communications and marketing specialist. Colin's clients have included the Equality and Human Rights Commission, Financial Ombudsman Service, Charity Commission and the Government Commercial Function based in the Cabinet Office.



NICK GLYNN WS2

Senior Program Officer at Open Society Foundations. Nick leads work on police accountability and justice in Europe, covering police powers, police use of force/ violence, protest, drug policy reform, mandatory detention and discrimination within the criminal legal system.



KATRINA FFRENCH WS3; WS4

Founding director of UNJUST C.I.C. Katrina is on a mission to address discriminatory practices and policies, UNJUST is focused on reimagining policing and the criminal legal system, promoting public safety and empowering the public to be agents of change.



RACHEAL GRANT Data & Evidence; WS4

A data scientist who has worked in the industry for the last nine years, predominantly within the public sector, supporting the Home Office, The Ministry of Defence and the Ministry of Justice, reporting and advising on sensitive high security data.



RAM JOSHI Data & Evidence; WS1, WS2 Experienced policy

Experienced policy professional with an excellent track record of leading the delivery of public policy initiatives. Ram is a senior leader in the Civil Service, and also has experience of working in financial services regulation.

CONTACT US

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